

17611. Misbranding of Hoyt's aspirin tablets. U. S. v. 30 Packages of Hoyt's Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24722. I. S. No. 027352. S. No. 3067.)

Samples of a drug product known as Hoyt's aspirin tablets having been found to bear in the labeling, curative and therapeutic claims not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the District of Massachusetts.

On April 16, 1930, the said United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 30 packages of Hoyt's aspirin tablets, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Hoyt Bros. (Inc.), from Newark, N. J., on or about March 18, 1930, and had been transported from the State of New Jersey into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained approximately 5 grains of acetylsalicylic acid each.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects, borne on the carton, were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For sore throat, * * * Neuralgia, * * * LaGrippe, Rheumatism, Lumbago, Etc. * * * Earache, Rheumatism, Neuralgia, LaGrippe, Etc."

On June 19, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17612. Misbranding of Dr. Fansler's kidney, bladder, and rheumatism medicine. U. S. v. 115 Bottles of Dr. Fansler's Kidney, Bladder, and Rheumatism Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24539. I. S. No. 012544. S. No. 2843.)

Samples of a drug product known as Dr. Fansler's kidney, bladder, and rheumatism medicine having been found to bear in the labeling curative and therapeutic claims that were not justified by its composition and to contain less alcohol than declared on the label, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of Alabama.

On February 18, 1930, the said United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 115 bottles of Dr. Fansler's kidney, bladder, and rheumatism medicine, remaining in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by the Fansler Manufacturing Co., from Marion, Ind., on or about December 16, 1929, and had been transported from the State of Indiana into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. On April 14, 1930, the libel was amended.

Analysis of a sample of the article by this department showed that it consisted essentially of copaiba and cubeb oleoresins, sandalwood oil, potassium chloride, potassium acetate, extracts of plant drugs, sugar, alcohol (11.5 per cent), and water.

It was alleged in the libel as amended that the article was misbranded in that the statement on the bottle label and carton, "Alcohol 18%," was false and misleading. Misbranding was alleged for the further reason that the packages failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the carton and bottle labels, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle) "Kidney, Bladder and Rheumatism Medicine * * * A medicine for the treatment of diseases of the Kidneys and Bladder and Rheumatism and all the diseased conditions arising from the impairment of these organs. Read what our Patrons say about the remarkable results obtained from the use of this Medicine in cases of Bright's Disease and Diabetes;" (carton only) "Dr. Fansler's Kidney, Bladder, and Rheumatism Medicine * * * By its use you can Destroy and Prevent Rheumatism, Neuritis, Kidney Stones, Diabetes, Brights Disease, Dropsy, Neuralgia, Headache, Backache, Aching Legs,

Paralysis, Puffy Eyelids, Hardening of the Arteries, Bed Wetting and Pain in All Different Parts of the Body. * * * Kidney Diseases. Statistics show that Bright's Disease and Diabetes are increasing in this country, and that a great number of deaths are reported each year. We feel that these facts warrant us in calling the attention of the public to Fansler's Kidney and Bladder Treatment. The symptoms of the invasion of this enemy of mankind are many and varied. Have you pain and stiffness in the back? Have you loss of appetite, irritability, flushed sensation of the skin, muscular pains, twitching of the muscles and dull pains in the back of the head? Have you that tired feeling in the small of the back? Have you shifting spots before the eyes? Do you upon arising having a bearing down, burning sensation in the region of the bladder? Is the secretion from the bladder scant, and does it irritate as it leaves the body? Is the secretion from the bladder highly colored, and does it have an offensive odor? Is there a heavy, milky sediment in the secretion? Do you have difficulty in passing the secretion? Do you feel languid and tired and worn out all the time? Are your lower eyelids puffed and watery? Are your ankles swollen and do they ache upon arising in the morning? Do you have trouble to retain the secretion in the bladder? Do you have to empty the bladder frequently, and in great amounts? If you have some or most of these symptoms your kidneys and bladder are out of order and should have prompt attention. If we are to enjoy good health and get our share of what is coming to us in this life, we must pay particular attention to the first alarm sounded by these symptoms of autointoxication. Fansler's Kidney and Bladder Treatment is the medicine; it stimulates the action not only of the kidneys, but of the other excretory organs as well. If you have a well-developed case of diabetes, or Bright's Disease, do not be despondent. Cheer up! Here's your remedy."

On May 26, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17613. Misbranding of menthol inhalers. U. S. v. 140 Dozen Menthol Inhalers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24690. I. S. No. 022831. S. No. 3014.)

Examination of samples of a drug product known as Menthol Inhalers from the herein described interstate shipment having shown that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the labels, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of California.

On March 31, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of, among others, 140 dozen menthol inhalers, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Walter F. Ware Co., from Philadelphia, Pa., on or about December 7, 1929, and transported from the State of Pennsylvania into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of menthol.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the tube label and on the accompanying display card, regarding the curative and therapeutic effects of the said article, were false and fraudulent: (Tube label) "Relieves Catarrh, Hay Fever, Headache, Influenza, Neuralgia, Asthma, Sore Throat, * * * etc.;" (display card) "Relieves Catarrh, Hay Fever, Headache, Influenza, Neuralgia, Asthma, Sore Throat, * * * Etc."

On June 5, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17614. Misbranding of Musterole. U. S. v. 24 Dozen Jars of Musterole. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24836. I. S. No. 024544. S. No. 3149.)

An examination of samples of a drug product known as Musterole from the herein described interstate shipment having shown that the article was